

IN THE DRAWINGS:

The attached sheets of drawings includes changes to Figures 1, 2A, 2B, 4, 5D, 9A, 9C, 10A, and 10C. These sheets replace the original sheets. Figures 1, 2A, 2B, 4, 5D, 9A, 9C, 10A, and 10C were amended in response to comments by the Examiner in the Office Action.

Attachment: Replacement Sheets

REMARKS

This is intended as a full and complete response to the Office Action dated May 12, 2005, having a shortened statutory period for response extended one month set to expire on September 12, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Election/Restrictions

During a telephone conversation with the Examiner on 09 May 2005 a provisional election was made with traverse to prosecute the invention of Species I, claims 10-17, 30-34, and 40-46. Applicants hereby affirm the election without traverse. Additionally, the Examiner noted that claims 1-9 and 23-29 are currently generic.

Drawings

The Examiner objected to the drawings under 37 CFR 1.83(a) because the ball recited in claim 4, the bomb recited in claim 5, the valve being cylindrical recited in claims 13, 33, and 45 and the valve being power driven as recited in claim 17 must be shown or the features cancelled from the claims. In response, Applicants have cancelled claims 4, 5, 13, 33, and 45. Applicants reserve the right to amend the drawings at a later date. Additionally, Applicants have amended Figure 4 to illustrate a power drive as recited in claim 17.

Further, the Examiner objected to Figures 2A, 5D, 9A, 9C, 10A, and 10C because they include section lines that are labeled with alphanumeric characters. In response, Applicants have amended the drawings and the specification accordingly.

Furthermore, the Examiner stated that Figures 1, 2A, and 2B should be designated by a legend such as "Prior Art" because only that which is old is illustrated. In response, Applicants have amended Figures 1, 2A, and 2B accordingly.

Additionally, the Examiner objected to the drawings under 37 CFR 1.84(p)(5) because they include the reference characters 420, 422, 434, 436, 520, and 534 not mentioned in the description. In response, Applicants respectfully direct the Examiner to paragraph [0095] in the filed application where it clearly states reference character

520 indicates a housing. Regarding the other reference characters, the specification has been amended accordingly.

For the reasons stated above, Applicants respectfully request the objection to the drawings be removed.

Specification

The Examiner objected to the abstract because the implied phrase “The present invention relates to”. In response, Applicants have amended the abstract accordingly.

Additionally, the Examiner objected to the disclosure because the Cross-Reference application data should be updated with the patent number of the parent application. In response, Applicants have amended the application data accordingly.

For the reasons stated above, Applicants respectfully request the objection to the specification be removed.

Claim Objections

The Examiner objected to claims 14-17 and 34 under 37 CFR 1.75(c) as being in an improper form because a multiple dependent claim should refer to claims in the alternative only. In response, Applicants have amended claims 14-17 and 34 accordingly.

Additionally, the Examiner stated that the numbering of claims is not in accordance with 37 CFR 1.126 because of mis-numbered claims 44-50. In response, Applicants have amended claims 44-50 accordingly.

For the reasons stated above, Applicants respectfully request the objection to the claims be removed.

Claim Rejections – 35 USC § 112

The Examiner rejected claims 25-34 under 35 U.S.C. 112, second paragraph, because there is insufficient antecedent basis for the limitation of “the plug bottom” in the claim. In response, Applicants have amended claims 25-34 accordingly. Therefore, Applicants respectfully request the rejection to the claims be removed.

Claim Rejections – 35 USC § 102(e)

The Examiner rejected independent claims 1, 25, and 40 and the claims dependent therefrom as being anticipated by *Simson* (US 2003/0024701). In response, Applicants have amended claims 1, 25, and 40.

As amended, claim 1 includes the limitation of a tubular canister disposed within and generally aligned with the tubular housing by at least one centralizing member so as to define an annulus between the tubular housing and the canister, the centralizing member configured to allow fluid flow through the annulus. As amended, claim 25 includes the limitation of a lower canister disposed within and generally aligned with the housing by at least one centralizing member formed on the lower canister. *Simson* does not disclose a centralizing member for centralizing a tubular canister in a tubular housing, wherein the centralizing member configured to allow fluid flow through the annulus. Further, *Simson* does not disclose a centralizing member formed on a canister. Rather, the spacer “500” indicated by the Examiner is merely a retention mechanism to prevent a dart “290” from floating upwardly out of the upper end of canister “240”. (See *Simson*, paragraph [0054]) In fact, as clearly seen in Figure 2 of *Simson*, the canister is supported at one end by an upper cap “210” and at the other end by the valve “250”.

As amended, claim 40 includes the limitation of a valve that is rotatable from an object-retained position, wherein the radial surface of the valve substantially blocks the object from exiting the canister and the radial surface contacts and creates a seal with the tubular canister to substantially close fluid flow through the channel, and an object-released position, wherein the channel of the valve is in substantial alignment with the channel of the canister thereby permitting the object to exit the canister and to travel downward through the channel of the valve and opens fluid flow through the channel, and wherein the radial surface around a perimeter of one end of the valve channel is placed in close proximity with the lower channel of the head member where it substantially blocks the flow in the annulus between the tubular housing and the canister in the object-released position. *Simson* does not disclose a valve that is rotatable from an object-retained position, wherein a radial surface of the valve contacts and creates a seal with the tubular canister to substantially close fluid flow through the

channel, and an object-released position, wherein the channel of the valve is in substantial alignment with the channel of the canister thereby opening fluid flow through the channel, and wherein the radial surface around a perimeter of one end of the valve channel is placed in close proximity with the lower channel of the head member where it substantially blocks the flow in the annulus between the tubular housing and the canister in the object-released position. For the reasons set forth above, *Simson* does not anticipate claims 1, 25, and 40. Applicants, therefore, submit that claims 1, 25, and 40 and claims that depend therefrom are in condition for allowance and respectfully request withdrawal of the § 102(e) rejection.

Claim Rejections – 35 USC § 103(a)

The Examiner rejected claim 5 as being unpatentable over *Simson* in view of *Giebeler, et al.* (US 2003/0132002). Applicants respectfully traverse the rejection. Claim 5 depends from claim 1. As set forth above, *Simson* fails to teach or suggest all the limitations in claim 1. Similarly, *Giebeler, et al.* fails to teach or suggest all the limitations of claim 1. For this reason, neither *Simson* and/nor *Giebeler, et al.* render claim 5 obvious. Applicants, therefore, submit that claim 5 is in condition for allowance and respectfully requests withdrawal of the § 103(a) rejection.

Double Patenting

The Examiner rejected Claims 1-6 and 25 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 8-11, and 26 of U.S. Patent No. 6,672,384.

In order to facilitate prosecution, Applicants submit that the terminal disclaimer filed with this response overcomes the rejection to claims 1-6 and 25 based on the judicially created doctrine of obviousness-type double patenting. Thus, Applicants respectfully request withdrawal of the double patenting rejection and allowance of the claims.

New Claims

Claims 52-58 have been added to better define aspects of the present invention. Applicants submit that no new matter was added. Claims 52-54 depend from claim 1 and these claims are allowable for at least the same reasons as claim 1. Claims 55-58 have the limitation of a valve disposed proximate an end of a canister, the valve having a substantially radial surface and a substantially flat surface, wherein the valve is movable from an object-retained position and an object-released position, whereby in the object retained position fluids are permitted to flow around the valve through a gap defined by the flat surface and the tubular housing. Applicants believe the references cited by the Examiner do not teach this limitation and therefore claims 55-58 are in condition for allowance.

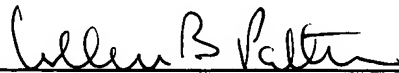
Conclusion

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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